

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-CV-00139-FL

Christopher McKay,

Plaintiff,

v.

**Experis US Inc. & Manpower Group
US Inc.,**

Defendant.

Order

Previously, Plaintiff Christopher McKay asked the court to compel Defendants Experis US Inc. & Manpower Group US Inc to supplement their discovery responses. The court held a hearing on the motion which resulted in the parties reaching an agreement on many of the disputed items. With respect to the remaining items, the court orders as follows:

1. Defendants must supplement their responses to Interrogatory 2 to identify all employees who held a position at the Managing Director I and II levels in the East Region between January 1, 2019, and January 1, 2020.
2. Defendants must supplement their responses to Interrogatory 3 to identify all employees at the Managing Director I and II in the East Region that were terminated for “unsatisfactory performance” between January 1, 2017, and the filing of this lawsuit who received two weeks’ “in lieu of notice pay.”
3. Defendants must supplement their responses to Request for Production 8 to produce any policy, guideline, or similar document created or in effect at any point from January 1, 2019, through the date of McKay’s termination that describe or govern their policy or practice of making in lieu of notice payments. They shall also produce any documents sent

to individuals identified in response to Interrogatory 3 explaining how that individual can apply for pay in lieu of notice. If Defendants have no responsive documents in their possession, custody, or control they shall supplement their responses to state so.

4. Defendants must serve their supplemental responses within 14 days from the entry of this order.
5. The court holds in abeyance its ruling on the Rule 30(b)(6) issue. McKay shall notify the undersigned's case manager and opposing counsel within 7 days after receiving the supplemental responses if he still believes there is a need to resume the 30(b)(6) deposition of Defendants. If so, the court will set a hearing by videoconference to address that issue.
6. This order does not relieve the parties of the responsibility to honor the agreements they reached during the July 8, 2021 hearing.
7. Except as outlined above, the motion to compel is denied.
8. Each party shall bear their own costs.

Dated: September 13, 2021

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive, flowing style with a horizontal line underneath.

Robert T. Numbers, II
United States Magistrate Judge